

AMENDED IN ASSEMBLY JUNE 14, 2004

AMENDED IN SENATE APRIL 22, 2004

**SENATE BILL**

**No. 1481**

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**Introduced by Senator Chesbro**

February 19, 2004

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*An act to repeal Chapter 310 of the Statutes of 1913, Chapter 417 of the Statutes of 1925, Chapter 483 of the Statutes of 1947, Chapter 117 of the Statutes of 1957, Chapter 1501 of the Statutes of 1957, Chapter 11 of the Statutes of 1962, Chapter 63 of the Statutes of 1962, Chapter 24 of the Statutes of 1963, and Chapter 895 of the Statutes of 1980, relating to tidelands and submerged lands of the City of Vallejo.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1481, as amended, Chesbro. Tidelands: City of Vallejo.

Existing law grants to the City of Vallejo all the right, title, and interest of the State of California in and to all tidelands and submerged lands situated in the Napa Creek, the Mare Island Straits, and the Straits of Carquinez within the boundaries of the city, as specified, in trust for certain purposes, including promotion of commerce, navigation, and fishery, and for establishing a harbor and related facilities.

This bill would *repeal specified statutes, as prescribed, which provided for those grants of tidelands and submerged lands to the City of Vallejo, and would provide for the grant and conveyance to the City of Vallejo, as described, and to its successors, of all the right, title and interest of the State of California held by the state in and to, all the tide and submerged lands and lands lying under inland navigable waters within the present boundaries of the City of Vallejo for public trust purposes, as defined, except for specified lands currently leased to the*

Wildlife Conservation Board, the Department of Fish and Game, and the United States Fish and Wildlife Service, and those lands subject to the Mare Island Property Settlement and Exchange Agreement, as provided. The bill would specify the purposes for which those lands may be used, and would prescribe related matters. The bill would prescribe procedures for the exchange and termination of the public trust or interest in those lands by the city.

The bill would provide that its provisions are severable and if any provision of the bill or its application is held invalid, that invalidity shall not affect other provisions or application that can be given effect without the invalid provision or application.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. As used in this act, the following definitions  
2 apply:

3 (a) “City” means the City of Vallejo, a municipal corporation  
4 of the State of California, in Solano County.

5 (b) “Public trust purposes” means ~~public purposes, including,~~  
6 ~~but not limited to,~~ purposes related to commerce, navigation, and  
7 fisheries, water-oriented recreation, and preservation of land in a  
8 natural state.

9 (c) “Granting statutes” means Chapter 310 of the Statutes of  
10 1913, Chapter 417 of the Statutes of 1925, Chapter 483 of the  
11 Statutes of 1947, Chapter 117 of the Statutes of 1957, Chapter  
12 1501 of the Statutes of 1957, Chapter 11 of the Statutes of 1962,  
13 Chapter 63 of the Statutes of 1962, Chapter 24 of the Statutes of  
14 1963, and Chapter 895 of the Statutes of 1980.

15 SEC. 2. It is the intent of the Legislature, in enacting this act,  
16 to do all of the following:

17 (a) Repeal and supercede prior granting statutes governing the  
18 City of Vallejo’s administration, as trustee, of all tide and  
19 submerged lands and lands underlying inland navigable water  
20 within the boundaries of the City of Vallejo that were previously  
21 granted to the city by the State of California, into a single grant.

22 (b) Confirm in the City of Vallejo all of the state’s right, title,  
23 and interest to tide and submerged lands and lands underlying  
24 inland navigable waters within the boundaries of the City of

1 *Vallejo that were previously granted by the granting statutes, and*  
2 *to amend the conditions and set forth the uses and purposes*  
3 *established for the city's government, management, and control of*  
4 *those lands.*

5 *(c) Convey to the City of Vallejo, and to its successors, all of the*  
6 *state's right, title, and interest to any remaining tide and*  
7 *submerged lands, and lands underlying inland navigable waters*  
8 *within the present boundaries of the City of Vallejo not heretofore*  
9 *conveyed, including that property established as public trust lands*  
10 *by the Mare Island Property Settlement and Exchange Agreement,*  
11 *and to provide for the city's government, management, and control*  
12 *of those lands.*

13 *(d) Expressly repeal the granting statutes and supercede those*  
14 *statutes by the enactment of a single statute providing for the grant*  
15 *of lands to the City of Vallejo.*

16 *SEC. 3.* The Legislature hereby finds and declares all of the  
17 following:

18 (a) Since the admission of the State of California into the  
19 United States, certain tide and submerged lands have been, and are  
20 now held, in trust by the state for the benefit of all California  
21 residents for the purposes of commerce, navigation, fisheries,  
22 water-oriented recreation, and environmental protection and  
23 conservation. The state is required to govern, administer, and  
24 control those lands for public trust purposes. The state is  
25 authorized, when the interests of the public trust require it, to grant  
26 and convey to municipalities limited and defined areas of public  
27 trust lands along with the power to govern, control, improve, and  
28 develop those lands in the interests of ~~the state's residents~~ *all of the*  
29 *inhabitants of the state* for public trust purposes.

30 (b) The State of California, pursuant to ~~statute~~ *the granting*  
31 *statutes*, has conveyed certain tide and submerged lands and lands  
32 lying under inland navigable waters to the city, in furtherance of  
33 public trust purposes, and has provided for the administration,  
34 management, and control of those lands by the city. The State of  
35 California, pursuant Chapter 43 of the Statutes of 1854, Chapter  
36 81 of the Statutes of 1897, and Chapter 1452 of the Statutes of  
37 1963, granted to the United States those tide and submerged lands  
38 adjacent to lands held by the United States for military purposes,  
39 including lands used for the development of the Mare Island Naval  
40 Shipyard.

1 (c) The United States Navy closed the Mare Island Naval  
2 Shipyard in 1996, and has conveyed, and will convey, certain lands  
3 lying within the boundaries of *the* former Mare Island Naval  
4 Shipyard to the city pursuant to the Defense Base Closure and  
5 Realignment Act of 1990 (10 U.S.C. Sec. 2687, and following, as  
6 amended). Upon closure of the former Mare Island Naval  
7 Shipyard, and by the terms of the state grants, the State of  
8 California claimed a right of reversion to all lands lying under the  
9 shipyard that were previously conveyed to the United States for  
10 military purposes. The State Lands Commission, acting under the  
11 auspices of the State of California, and in cooperation with the City  
12 Council of the City of Vallejo, approved the Mare Island Property  
13 Settlement and Exchange Agreement, which was recorded on  
14 March 26, 2002, as Instrument Number 02-37955 in the  
15 Recorder's Office, County of Solano, State of California  
16 (*hereafter the agreement*). That agreement settled the state's public  
17 trust title claims at the former Mare Island Naval Shipyard, and  
18 provided for an exchange of trust lands for nontrust lands of equal  
19 or greater value, in accordance with the requirements of Section  
20 6307 of the Public Resources Code. The agreement was confirmed  
21 as valid, and title to the former Mare Island Naval Shipyard was  
22 quieted in accordance with the terms and conditions of that  
23 agreement, when implemented, pursuant to the judgment entered  
24 in *City of Vallejo v. State of California*, Solano County Superior  
25 Court Case No. 19710 (January 6, 2003), recorded on April 15,  
26 2003, as Document Number 200300058313 in the Recorder's  
27 Office, County of Solano, State of California.

28 (d) The settlement of title to tide and submerged lands at Mare  
29 Island Naval Shipyard, and the conveyance of those lands to the  
30 city, as trustee of all of the state's rights, title, and interest in, those  
31 lands within the boundaries of the city held by the state by virtue  
32 of its ~~jurisdiction over~~ *sovereignty in and to* all tide and submerged  
33 lands and lands lying under inland navigable waters, together with  
34 the right to govern, control, improve, and develop or retain the  
35 lands in their natural state, will result in great advantage and  
36 benefit to all the ~~residents~~ *inhabitants* of the state.

37 ~~SEC. 3.~~

38 SEC. 4. The State of California hereby grants and conveys to  
39 the city, and to its successors, all the rights, title, and interest of the  
40 state ~~in~~ *held by virtue of its sovereignty in, and to*, all the tide and



1 submerged lands and lands lying under inland navigable waters  
2 within the present boundaries of the city for public trust purposes,  
3 except for those lands currently leased to the Wildlife  
4 Conservation Board, the Department of Fish and Game, and the  
5 United States Fish and Wildlife Service, and those lands subject to  
6 the Mare Island Property Settlement and Exchange Agreement  
7 referenced in subdivision (c) of Section 2 of this act.

8 ~~SEC. 4.~~

9 *SEC. 5.* As to the lands that are the subject of the Mare Island  
10 Property Settlement and Exchange Agreement described in  
11 subdivision (c) of Section 2 of this act, the disposition of those  
12 lands is to be governed by that agreement. When each public trust  
13 parcel that is covered by that agreement is conveyed by quitclaim  
14 deed from the state to the city pursuant to the terms of the  
15 agreement, that parcel shall thereafter be held by the city pursuant  
16 to the terms of this act. Once conveyed to the city, the use of those  
17 parcels of land shall be limited to those uses contained in Section  
18 3 of the Public Agency Lease, recorded on March 26, 2002, as  
19 Instrument Number 02-379555 in the Recorder's Office, County  
20 of Solano, State of California.

21 ~~SEC. 5.~~

22 *SEC. 6.* The lands hereby granted and conveyed to the city  
23 pursuant to this act shall be held by the city, and its successors, in  
24 trust for uses and purposes consistent with the public trust  
25 purposes. Those lands may be used for the construction,  
26 reconstruction, repair and maintenance of any transportation,  
27 utility, or other infrastructure that is incidental, necessary, or  
28 convenient for any uses consistent with the public trust purposes.  
29 Those lands shall be held by the city, or its successor, subject to the  
30 following conditions:

31 (a) The city, or its successors, shall not grant, convey, or  
32 otherwise alienate those lands, or any part thereof, to any  
33 individual, firm, or corporation for any purpose, except as  
34 provided in this act. However, the city, or its successors, may grant  
35 franchises on, or lease those lands, or any part thereof, for limited  
36 periods not exceeding a maximum period of 66 years, for purposes  
37 consistent the public trust purposes. Those franchises or leases  
38 may be subject to any terms or conditions that may be imposed by  
39 the city that are deemed by the city to be necessary for municipal  
40 purposes. The city shall collect and retain rents from those leases,

1 and any and all rents and revenues received from trust lands and  
2 trust assets, hereinafter referred to as “trust revenues.” Those trust  
3 revenues shall be expended only for those uses and purposes  
4 consistent with the public trust purposes. The purpose of this  
5 requirement is to provide for the segregation of funds derived from  
6 the use of trust lands in order to ensure that they are expended only  
7 to enhance the lands in accordance with the trust uses and purposes  
8 upon which the trust lands are held.

9 (b) On or before October 1 of each year, the trustee of those  
10 lands described in subdivision (a) shall file with the State Lands  
11 Commission a detailed statement of all trust revenues and  
12 expenditures relating to its use of trust lands and trust assets,  
13 including obligations that have been incurred, but not yet paid,  
14 covering the fiscal year preceding submission of the statement.  
15 This statement shall be prepared according to generally accepted  
16 accounting principles and may take the form of an annual audit  
17 prepared by or for the trustee.

18 (c) There is hereby reserved in the people of the State of  
19 California the right to fish in the waters on which trust lands may  
20 front with the right of convenient access to those waters for fishing  
21 purposes.

22 (d) The state shall have the right to use without charge, any  
23 transportation, landing, or storage improvements, betterments, or  
24 structures constructed upon the trust lands for any vessel or other  
25 watercraft or railroad owned or operated by, or under contract to,  
26 the state. The state’s use of those facilities shall be governed by the  
27 trustee’s rules and regulations.

28 (e) The lands herein granted and conveyed to the city are  
29 subject to the express reservation and condition that the state may  
30 at any time in the future use those lands, or any portion thereof, for  
31 highway purposes without compensation to the city, or its  
32 successors or assignees, or any person, firm or public or private  
33 corporation claiming any right to those lands, except that in the  
34 event improvements have been placed with legal authority upon  
35 the property taken by the state for highway purposes,  
36 compensation shall be made to the person entitled thereto for the  
37 value of the interest in the improvements taken or the damages to  
38 that interest.

39 (f) The State of California shall reserve all rights to any remains  
40 or artifacts of archaeological or historical significance and to all

minerals and mineral rights in the lands now known to exist or hereafter discovered, including, but not limited to, oil and gas and rights thereto, together with the sole, exclusive, and the perpetual right to explore for, remove, and dispose of those minerals by any means or methods suitable to the State of California or to its successors and assignees. Notwithstanding Section 6401 of the Public Resources Code, any mineral right retained pursuant to this section shall not include the right of the state or its successors or assignees in connection with any mineral reservation, removal, or disposal activity, to do either of the following:

(1) Enter upon, use, or damage the surface of the lands or interfere with the use of the surface by any grantee or by the grantee's successor or assignees.

(2) Conduct any mining activities of any nature whatsoever above a plane located five hundred feet below the surface of the lands without permission of any grantee of the lands or the grantee's successors or assignees.

(g) In the management, conduct, operation, and control of the trust lands or any improvement, or structures on that land, the trustee or its successors shall make no discrimination in rates, tolls, or charges for any use or service in connection therewith nor shall the trustee discriminate against or unlawfully segregate any person or group of persons on account of sex, race, color, creed, national origin, ancestry or physical handicap for any use or service in connection herewith.

(h) Those lands shall be improved by the city without expense to the State of California, except that nothing contained in this act shall preclude the city from accepting and retaining any grant of funds or subvention from the state or other governmental agencies made available for the purpose of aiding in the development of those lands for any public purpose not inconsistent with the promotion and accommodation of commerce, navigation, fisheries, water-oriented recreation, or environmental purposes.

~~SEC. 6.~~

*SEC. 7.* (a) Subject to the requirements for approval by the State Lands Commission specified in subdivision (b), whenever it is determined by the city that any portions of the tide or submerged lands granted to the city pursuant to this act have been filled and reclaimed, cut off from access to the waters of San Pablo Bay and Mare Island Strait, constitute a relatively small portion of the tide



1 and submerged lands granted to the city, and are no longer needed  
2 or required for the promotion of the public trust purposes and the  
3 granted lands trust, and that there will not be a substantial  
4 interference with the public trust uses and purposes, the city may  
5 terminate the public trust over those portions of the tidelands and  
6 exchange those portions of the tidelands, or any interest in those  
7 lands, with any state agency, political subdivision, person, entity,  
8 or corporation, or the United States, or any agency thereof, for  
9 lands or interests in lands of equal or greater value, if those lands  
10 granted are used for public *trust* purposes.

11 (b) An exchange and trust termination under subdivision (a)  
12 shall not be effective until the State Lands Commission, at a  
13 regular open meeting with the proposed exchange and trust  
14 termination as a properly scheduled agenda item, does both of the  
15 following:

16 (1) Finds that the lands or interests in lands to be acquired by  
17 the city and the value of the public trust interest to be created by  
18 agreement of the city are of a value equal to or greater than the  
19 value of the tidelands for which they are to be exchanged and the  
20 value of the tidelands over which the public trust will be  
21 terminated.

22 (2) Adopts a resolution approving the proposed exchange and  
23 trust termination, which finds and declares that the tidelands to be  
24 exchanged and over which the public trust will be terminated have  
25 been filled and reclaimed, are cut off from access to the waters of  
26 San Pablo Bay and Mare Island Strait, constitute a relatively small  
27 portion of the tide and submerged lands granted to the city, and are  
28 no longer needed or required for the promotion of the public trust;  
29 and that there will not be a substantial interference with the public  
30 trust uses and purposes that will ensue by virtue of the exchange  
31 of the trust lands and the trust termination. At the time specified  
32 in the resolution, the tidelands to be exchanged and with respect  
33 to which the public trust is to be terminated shall thereupon be free  
34 from the public trust.

35 (c) The provisions of this act are not exclusive with respect to  
36 the settlement or litigation of titles and boundaries of lands within  
37 either the present waterway or granted lands. This act does not  
38 impair nor alter the existing procedural or substantive rights or  
39 disabilities of any person or entity claiming title to, or an interest  
40 in, any lands in the present waterway and the granted lands in the



1 defense or prosecution of any proceeding now or hereafter  
2 instituted under the laws of this state, nor affect the applicability  
3 of those lands with respect to any other provisions of law.

4 ~~SEC. 7.~~

5 *SEC. 8.* (a) Any party to an exchange agreement entered into  
6 pursuant to this act may bring an action under Chapter 4  
7 (commencing with Section 760.010) of Title 10 of Part 2 of the  
8 Code of Civil Procedure to quiet title and to confirm the validity  
9 of that agreement as if the agreement had been entered into  
10 pursuant to Section 6307 or 6357 of the Public Resources Code.  
11 No action shall be brought later than 90 days after the recording  
12 of the executed agreement.

13 (b) Notwithstanding subdivision (b) of Section 764.080 of the  
14 Code of Civil Procedure, a person not a party to an exchange  
15 agreement entered into pursuant to this act seeking to bring an  
16 action challenging the validity of the agreement shall file that  
17 action no later than 180 days after the recording of the executed  
18 agreement.

19 (c) Any exchange agreement entered into pursuant to this act  
20 shall be conclusively presumed to be valid, unless held invalid in  
21 an appropriate proceeding in a court of competent jurisdiction  
22 commenced within the time limits specified in this section.

23 ~~SEC. 8.—~~

24 *SEC. 9. Chapter 310 of the Statutes of 1913 is repealed.*

25 ~~SECTION 1.—There is hereby granted and conveyed to the city~~  
26 ~~of Vallejo, a municipal corporation, in the county of Solano, State~~  
27 ~~of California, and to its successors, all the right, title and interest~~  
28 ~~of the State of California held by said state by virtue of its~~  
29 ~~sovereignty in and to all the tide lands and lands lying under inland~~  
30 ~~navigable waters within the boundaries of the present city of~~  
31 ~~Vallejo, situate in the Napa creek, the Mare Island straits and the~~  
32 ~~Straits of Carquinez, lying and being between the line of mean~~  
33 ~~high tide and the pier head line in said straits, as the same has been~~  
34 ~~or may hereafter be established by the federal government, and the~~  
35 ~~right to wharf out therefrom to the city of Vallejo, to be forever~~  
36 ~~held by said city and by its successors in trust for the uses and~~  
37 ~~purposes and upon the expressed conditions following to wit: That~~  
38 ~~said lands shall be used by said city and its successors, only for the~~  
39 ~~establishment, improvement and conduct of a harbor, and for the~~  
40 ~~construction, maintenance and operation thereof of wharves,~~

1 docks, piers, slips, quays and other utilities, structures and  
2 appliances necessary or convenient for the promotion and  
3 accommodation of commerce and navigation, and said city, or its  
4 successors shall not, at any time, grant, convey, give or alien said  
5 lands, or any part thereof, to any individual, firm or corporation for  
6 any purposes whatever; provided, that said city, or its successors,  
7 may grant franchises thereon, for limited periods, for wharves and  
8 other public uses and purposes, and may lease said lands, or any  
9 part thereof, for limited periods, for purposes consistent with the  
10 trusts upon which said lands are held by the State of California, and  
11 with the requirements of commerce and navigation at said harbor,  
12 for a term not exceeding twenty five years, and on such other  
13 terms and conditions as said city may determine, including a right  
14 to renew such lease or leases for a further term not exceeding  
15 twenty-five years or to terminate the same on such terms,  
16 reservations and conditions as may be stipulated in such lease or  
17 leases, and said lease or leases may be for any and all purposes  
18 which shall not interfere with navigation or commerce, with  
19 revision to the said city on the termination of said lease or leases  
20 of any and all improvements thereon, and on such other terms and  
21 conditions as the said city may determine, but for no purpose  
22 which will interfere with navigation or commerce; subject also to  
23 a reservation in all such leases or such wharfing out privileges of  
24 a street, or of such other reservation as the said city may determine  
25 for a belt line railroad or other railroad where the same may be  
26 deemed necessary by the said city; and such other reservations as  
27 the city may require, and for sewer outlets, and for gas and oil  
28 mains and water mains, and for hydrants, and for electric cables  
29 and wires, and for such other conduits for municipal purposes, and  
30 for such public and municipal purposes and uses as may be deemed  
31 necessary by the said city; provided, however, that each person,  
32 firm or corporation or their heirs, successors or assigns now in  
33 possession of land or lands within the boundaries of the said city  
34 of Vallejo as hereinbefore firstly described, situate in the Napa  
35 creek, the Mare Island straits and the Straits of Carquinez, and  
36 lying and being between the line of mean high tide and the pier  
37 head line in said straits, as the same has been or may hereafter be  
38 established by the federal government shall have a right to obtain  
39 a lease for a term of twenty-five years from said city of said land  
40 and wharfing out privileges therefrom with a right of renewal for

~~a further term of twenty-five years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, and said renewed lease may be terminated at any time by mutual agreement of the city and the lessee, on such just and reasonable terms for compensation for improvements as may be mutually agreed upon. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other watercraft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which lands may front with the right of convenient access to said waters over said lands for said purpose.~~

~~SEC. 2. The foregoing conveyance is made upon the condition that the city of Vallejo shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, cause to be expended for harbor improvement purposes an amount not less than twenty-five thousand (\$25,000) dollars. If said harbor improvement work be not done and if said amount be not expended for harbor improvement as herein provided, then the lands by this act conveyed to the city of Vallejo shall revert to the State of California.~~

~~SEC. 10. Chapter 417 of the Statutes of 1925 is repealed.~~

~~SECTION 1. All of that land granted by the State of California to the city of Vallejo by the provisions of an act entitled~~

~~“An act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa creek, the Mare Island straits and the straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,” approved June 11, 1913, which is behind the permanent bulkhead constructed by the government of the United States and which has been filled and can no longer be used for navigation or fisheries, is hereby declared to have ceased to be tide lands or submerged lands, and to be free from all trusts and restrictions imposed on such land under and by the provisions of the act entitled “An act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa creek, the Mare Island straits and the straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,” approved June 11, 1913.~~

*SEC. 11. Chapter 483 of the Statutes of 1947 is repealed.*

~~SECTION 1. There is hereby granted and conveyed to the City of Vallejo, in the County of Solano, State of California, all of the tide and submerged lands situate on the northeasterly shore of San Pablo Bay, immediately north of Mare Island Naval Yard, more particularly bounded and described as follows:~~

~~Commencing at the intersection of the ordinary high water mark along the northeastern shore of San Pablo Bay and the west line of Sec. 6, T. 3 N., R. 4 W., M. D. B. & M.; running thence southeasterly along said ordinary high water mark of San Pablo Bay to the intersection thereof with a line common to the SE.  $\frac{1}{4}$  and the SW.  $\frac{1}{4}$  of said Sec. 6, said intersection being the true point of beginning of the parcel of tide and submerged lands herein described; continuing thence along the ordinary high water mark of San Pablo Bay southeasterly to the point of intersection thereof with the northwestern boundary line of the lands owned by the United States Government and commonly known as Mare Island Naval Shipyard; thence south 71 degrees west, to the western boundary line of Solano County; thence along said county~~

1 boundary line approximately north  $62\frac{1}{2}$  degrees west 14,000 feet;  
2 thence leaving said county boundary line and running  
3 northeasterly in a straight line to the point of beginning.

4 To be forever held by said city, and its successors, in trust for the  
5 uses and purposes and upon the express conditions following, to  
6 wit:

7 (a) That said lands shall be used by said city, and its successors,  
8 only for the establishment, improvement and conduct of a harbor,  
9 including an airport or aviation facilities, and for the construction,  
10 maintenance and operation thereon of wharves, docks, piers, slips,  
11 quays and other utilities, structures, facilities and appliances  
12 necessary or convenient for the promotion and accommodation of  
13 commerce and navigation by air as well as by water, and said city,  
14 in its successors, shall not, at any time, grant, convey, give or alien  
15 said lands, or any part thereof, to any individual, firm or  
16 corporation for any purposes whatever; provided, that said city, or  
17 its successors, may grant franchises thereon for limited periods  
18 (but in no event exceeding 50 years), for wharves and other public  
19 uses and purposes and may lease said lands, or any part thereof, for  
20 limited periods (but in no event exceeding 50 years), for purposes  
21 consistent with the trust upon which said lands are held by the State  
22 of California, and with the requirements of commerce and  
23 navigation at said harbor, and collect and retain rents from such  
24 leases.

25 (b) That said lands shall be improved by said city without  
26 expense to the State, and shall always remain available for public  
27 use for all purposes of commerce and navigation, and the State of  
28 California shall have at all times, the right to use, without charge,  
29 all wharves, docks, piers, slips, quays, and other improvements  
30 and facilities constructed on said lands, or any part thereof, for any  
31 vessel or other water or aircraft, or railroad, owned or operated by  
32 the State of California.

33 (c) That in the management, conduct or operation of said  
34 harbor, or of any of the utilities, structures, appliances or facilities  
35 mentioned in paragraph (a), no discrimination in rates, tolls, or  
36 charges or in facilities for any use of service in connection  
37 therewith shall ever be made, authorized or permitted by said city  
38 or its successors.

39 (d) There is hereby reserved, however, in the people of the State  
40 of California the absolute right to fish in the waters of said harbor

1 ~~with the right of convenient access to said waters over said lands~~  
2 ~~for said purposes.~~

3 ~~(e) There is hereby excepted and reserved to the State of~~  
4 ~~California all deposits of minerals, including oil and gas, in said~~  
5 ~~land, and to the State of California, or persons authorized by the~~  
6 ~~State of California, the right to prospect for, mine, and remove~~  
7 ~~such deposits from said land.~~

8 ~~(f) The lands herein described are granted subject to the express~~  
9 ~~reservation and condition that the State may at any time in the~~  
10 ~~future use said lands or any portion thereof for highway purposes~~  
11 ~~without compensation to the city, its successors or assigns, or any~~  
12 ~~person, firm or public or private corporation claiming under it,~~  
13 ~~except that in the event improvements have been placed upon the~~  
14 ~~property taken by the State for said purposes, compensation shall~~  
15 ~~be made to the person entitled thereto for the value of his interest~~  
16 ~~in the improvements taken or the damages to such interest.~~

17 *SEC. 12. Chapter 117 of the Statutes of 1957 is repealed.*

18 *SECTION 1. Section 1 of Chapter 483 of the Statutes of 1947*  
19 *is amended to read:*

20 *Section 1. There is hereby granted and conveyed to the City*  
21 *of Vallejo, in the County of Solano, State of California all of the*  
22 *tide and submerged lands situate on the northeastly shore of San*  
23 *Pablo Bay, immediately north of Mare Island Naval Yard, more*  
24 *particularly bounded and described as follows:*

25 *Commencing at the intersection of the ordinary high-water*  
26 *mark along the northeastern shore of San Pablo Bay and west line*  
27 *of Sec. 6, T. 3 N., R. 4. W., M.D. B. & M.; running thence*  
28 *southeasterly along said ordinary high-water mark of San Pablo*  
29 *Bay to the intersection thereof with a line common to the SE.  $\frac{1}{4}$*   
30 *and the SW.  $\frac{1}{4}$  of said Sec. 6, said intersection being the true point*  
31 *of beginning of the parcel of tide and submerged lands herein*  
32 *described; continuing thence along the ordinary high-water mark*  
33 *of San Pablo Bay southeasterly to the point of intersection thereof*  
34 *with the northwestern boundary line of the lands owned by the*  
35 *United States Government and commonly known as Mare Island*  
36 *Naval Shipyard; thence south 71 degrees west, to the western*  
37 *boundary line of Solano County; thence along said county*  
38 *boundary line approximately north  $26\frac{1}{2}$  degrees west 14,000 feet;*  
39 *thence leaving said county boundary line and running*  
40 *northeasterly in a straight line to the point of beginning.*

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) ~~That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for promotion and accommodation of commerce and navigation by air as well as by water, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.~~

(b) ~~That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.~~

(c) ~~That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tools, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.~~

(d) ~~There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.~~



~~(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.~~

~~(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.~~

~~SEC. 2. Section 2 is added to said act, to read:~~

~~Sec. 2. the State Lands Commission shall, at the cost of the grantee, survey, monument, plat and record in the Office of the Recorder of Solano County, the area of state lands described in this act.~~

~~SEC. 13. Chapter 1501 of the Statutes of 1957 is repealed.~~

~~SECTION 1. There is hereby granted to the City of Vallejo, a municipal corporation in the County of Solano, State of California, and to its successors all of the right, title, and interest of the State of California, held by said State by virtue of its sovereignty in and to all of the tide and submerged lands bounded and described as follows:~~

~~All of the tide and submerged lands situate on the northeasterly shore of San Pablo Bay, immediately west of and adjacent to Mare Island Naval Shipyard, and bounded on the south and west by Solano County boundary and on the north by lands of the City of Vallejo as described in Chapter 483, Statutes of 1947, more particularly bounded and described as follows:~~

~~Commencing at the intersection of the ordinary high-water mark along the northeastern shore of San Pablo Bay and the west line of Sec. 6, T. 3 N., R. 4 W., M. D. B. & M.; running thence southeasterly along said ordinary high-water mark of San Pablo Bay to the point of intersection thereof with the northwestern boundary line of the lands owned by the United States Government and commonly known as Mare Island Naval Shipyard, said point being the true point of beginning of the parcel of tide and~~

1 submerged lands herein described; and running thence South 71°  
2 West, to the western boundary line of Solano County; thence along  
3 said county boundary line approximately South 26° 30' East, to  
4 the point of intersection thereof with the southern boundary line  
5 of said county; thence easterly along said southern boundary line  
6 of Solano County to the point of intersection thereof with the  
7 western boundary line of said United States Government Lands;  
8 thence northeasterly, northerly and northwesterly along last said  
9 western boundary line and its meanderings, to the point of  
10 intersection thereof with said northern boundary line of United  
11 States Government Lands; thence northeasterly along last said  
12 northern boundary line to the point of beginning.

13 To be forever held by said city, and its successors, in trust for the  
14 uses and purposes and upon the express conditions following, to  
15 wit:

16 (a) That said lands shall be used by said city, and its successors,  
17 only for the establishment, improvement and conduct of a harbor,  
18 including an airport or aviation facilities, and for the construction,  
19 maintenance and operation thereon of wharves, docks, piers, slips,  
20 quays and other utilities, structures, facilities and appliances  
21 necessary or convenient for the promotion and accommodation of  
22 commerce and navigation by air as well as by water, and said city,  
23 or its successors, shall not, at any time, grant, convey, give or alien  
24 said lands, or any part thereof, to any individual, firm or  
25 corporation for any purposes whatever; provided, that said city, or  
26 its successors, may grant franchises thereon for limited periods  
27 (but in no event exceeding 50 years), for wharves and other public  
28 uses and purposes and may lease said lands, or any part thereof, for  
29 limited periods (but in no event exceeding 50 years), for purposes  
30 consistent with the trust upon which said lands are held by the State  
31 of California, and with the requirements of commerce and  
32 navigation at said harbor, and collect and retain rents from such  
33 leases.

34 (b) That said lands shall be improved by said city without  
35 expense to the State, and shall always remain available for public  
36 use for all purposes of commerce and navigation, and the State of  
37 California shall have at all times, the right to use, without charge,  
38 all wharves, docks, piers, slips, quays, and other improvements  
39 and facilities constructed on said lands, or any part thereof, for any

~~1 vessel or other water or aircraft, or railroad, owned or operated by  
2 the State of California.~~

~~3 (c) That in the management, conduct or operation of said  
4 harbor, or of any of the utilities, structures, appliances or facilities  
5 mentioned in paragraph (a), no discrimination in rates, tolls, or  
6 charges or in facilities for any use or service in connection  
7 therewith shall ever be made, authorized or permitted by said city  
8 or its successors.~~

~~9 (d) There is hereby reserved, however, in the people of the State  
10 of California the absolute right to fish in the waters of said harbor  
11 with the right of convenient access to said waters over said lands  
12 for said purposes.~~

~~13 (e) There is hereby excepted and reserved to the State of  
14 California all deposits of minerals, including oil and gas, in said  
15 land, and to the State of California, or persons authorized by the  
16 State of California, the right to prospect for, mine, and remove  
17 such deposits from said land.~~

~~18 (f) The lands herein described are granted subject to the express  
19 reservation and condition that the State may at any time in the  
20 future use said lands or any portion thereof for highway purposes  
21 without compensation to the city, its successors or assigns, or any  
22 person, firm or public or private corporation claiming under it,  
23 except that in the event improvements have been placed upon the  
24 property taken by the State for said purposes, compensation shall  
25 be made to the person entitled thereto for the value of his interest  
26 in the improvements taken or the damages to such interest.~~

~~27 SEC. 2.—The State Lands Commission shall, at the cost of the  
28 grantee, survey, monument, plat, and record in the Office of the  
29 County Recorder of Solano County, the area of state lands  
30 described in this act. Said city shall enter into a contract with the  
31 State Lands Commission for surveying, monumenting and  
32 platting the area of state lands described in this act, and shall, upon  
33 submission of invoices by the State Lands Commission, pay said  
34 costs.~~

~~35 SEC. 3.—If any provision of this act or the application thereof  
36 to any person or circumstance is held invalid, such invalidity shall  
37 not affect other provisions or applications of the act which can be  
38 given effect without the invalid provision or application, and to  
39 this end the provisions of this act are severable.~~

1 ~~SEC. 4.—Nothing contained in this act shall preclude the city~~  
2 ~~from accepting and retaining any grant of funds from the State~~  
3 ~~made available for the purpose of aiding in the development of said~~  
4 ~~lands for any public purpose not inconsistent with the promotion~~  
5 ~~and accommodation of commerce and navigation.~~

6 *SEC. 14. Chapter 11 of the Statutes of 1962 is repealed.*

7 ~~SECTION 1.—The Director of Finance is hereby authorized to~~  
8 ~~sell, exchange, or otherwise dispose of, for current market value~~  
9 ~~and upon such terms and conditions and with such reservations and~~  
10 ~~exceptions as in his opinion may be for the best interest of the State,~~  
11 ~~all or any part of the following real property:~~

12 ~~Parcel 1.—Lot 19 in Block 50, in Ventura Cemetery, City of San~~  
13 ~~Buenaventura, County of Ventura, State of California.~~

14 ~~Parcel 2.—Approximately 1.44 acres, being that portion of the~~  
15 ~~Rancho San Antonio, in the City of Los Angeles, County of Los~~  
16 ~~Angeles, State of California, as described in that certain deed~~  
17 ~~recorded on March 6, 1940 in Book 17301 at Page 252, Official~~  
18 ~~Records of Los Angeles County.~~

19 ~~Parcel 3.—Approximately 160 acres in the County of San~~  
20 ~~Bernardino, State of California, being the Northeast  $\frac{1}{4}$  of Section~~  
21 ~~11, Township 8 North, Range 4 West, SBB&M.~~

22 ~~Parcel 4.—Lot 1 in Block 26 of the Town of Coachella, County~~  
23 ~~of Riverside, State of California, as shown by Map on file in Book~~  
24 ~~4, Page 52 of Maps, Records of Riverside County; containing~~  
25 ~~6,250 square feet, more or less.~~

26 ~~Parcel 5.—Approximately 30.7 acres in the County of~~  
27 ~~Riverside, State of California, being Lots “E” and “F” of~~  
28 ~~Subdivision of Section 31, Township 5 South, Range 8 East,~~  
29 ~~SBB&M as shown by Map on file in Book 5, Page 126 of Maps,~~  
30 ~~Records of Riverside County.~~

31 ~~Parcel 6.—Lot 4 of the H. W. Stoll Tract in the City of Long~~  
32 ~~Beach, County of Los Angeles, State of California, as per map~~  
33 ~~recorded in Book 6, Page 99 of Maps, in the Office of the County~~  
34 ~~Recorder; containing 6500 square feet, more or less.~~

35 ~~Parcel 7.—Approximately 11.6 acres in the City of Berkeley,~~  
36 ~~County of Alameda, State of California, being the unused portion~~  
37 ~~of the California School for the Deaf campus bounded on the east~~  
38 ~~and south by the existing campus boundaries, on the west by the~~  
39 ~~tennis courts and athletic field, and on the north by a ravine.~~

~~Parcel 8. Approximately 30 residences and sites, including existing streets and park area, comprising a total of approximately 7 acres, being the employees' residence area at the Preston School of Industry near the City of Ione, County Amador, State of California. Individual parcels may be sold for current market value to employees of the school.~~

~~Parcel 9. The Department of the California Highway Patrol building and site at 525 North Main Street in the City of Yreka, State of California.~~

~~Parcel 10. Approximately four acres along Akard Street and extending eastward along Locust Street, lying north of the Department of Fish and Game office building in the City of Redding, State of California, being a portion of the Department of Fish and Game site in said city; provided that the purchaser of such property agrees to construct improvements thereon and to lease the same to the State, acting by and through the Director of Finance, with an option in favor of the State to purchase such property and improvements, or providing that the property and improvements shall vest in the State upon expiration of the lease, and otherwise upon such terms and conditions as the Director of Finance deems to be in the best interests of the State. The proceeds of such sale, subject to Section 6 hereof, shall be paid into the Fish and Game Preservation Fund.~~

~~Parcel 11. Approximately one acre in the City of Fresno, County of Fresno, State of California, being a portion of the northeast  $\frac{1}{4}$  of the southeast  $\frac{1}{4}$  of Section 23, Township 14 South, Range 20 East, M.D.B.&M., being a portion of the Fresno Poultry and Animal Disease Diagnostic Laboratory, Department of Agriculture.~~

~~Parcel 12. Approximately four acres known as the Fall Creek Hatchery property of the Department of Fish and Game in Volume 100, Page 231, Official Records of Siskiyou County. The proceeds of such sale, subject to Section 6 of this act, shall be paid into the Fish and Game Preservation Fund.~~

~~SEC. 2. The Director of finance is hereby authorized to quitclaim to the City of Holtville, in the County of Imperial, State of California, at no cost to the City, all Lots 1 through 7, Block 44, Townsite of Holtville, as per map number 908 on file in the Office of the County Recorder of Imperial County.~~

~~The City of Holtville, by deed dated June 28, 1957, granted this property to the State at no cost for an armory upon condition that it would revert to the city if construction of the armory was not commenced within five years. Due to reorganization of the California National Guard construction of the armory was never commenced and the site is no longer needed. A quitclaim by the State is necessary to clear title to the city.~~

~~SEC. 3.— The Director of Finance is hereby authorized to execute such documents as may be necessary to correct boundary lines between the Bieber Forest Fire Station and property owned by the County of Lassen situated in the Northwest 1/4 of Section 23, Township 38 North, Range 7 East, MDB&M, County of Lassen, State of California, provided there is no charge made in connection therewith by said county.~~

~~By deed dated July 15, 1946, the County of Lassen intended to donate a three-acre parcel between a corporation yard and a county park to the State for use as a forest fire station. Because the deed description was based on an incorrectly located monument, strips of land were left on each side of the fire station upon which the county and State have each constructed improvements on the other's land. Both the county and State are desirous of correcting the boundary discrepancey.~~

~~SEC. 4.— A copy of each conveyance executed and delivered or received by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission.~~

~~SEC. 5.— Prior to the sale of parcels of property for value pursuant to this act, notice thereof shall be posted on the property to be sold and shall be published pursuant to Government Code Section 6061 in a newspaper published in the county in which the real property to be sold is situated; provided, the requirement shall not be applicable to the disposition of said parcels to any federal, state or local governmental agency.~~

~~SEC. 6.— Any costs or expenses incurred in the sale or other disposition of any parcel herein referred to shall be reimbursed from the proceeds of such sale or disposition.~~

~~SEC. 7.— Subject to Section 6 hereof, any moneys received from the sale or the disposition of said property shall be paid into the General Fund, except that any moneys received from the sale or the disposition of Parcels 10 and 12 shall be paid into the Fish and Game Preservation Fund.~~

1 ~~SEC. 8.—Chapter 1937 of the Statutes of 1959 is repealed.~~

2 ~~SEC. 9.—The authority vested in the Director of Finance,~~  
3 ~~pursuant to Section 1, Chapter 6 of the Statutes of 1960, to dispose~~  
4 ~~of that certain parcel of real property designated therein as Parcel~~  
5 ~~7, shall include the authority to enter into a long-term lease with~~  
6 ~~the City of Napa upon such terms and conditions as the Director~~  
7 ~~of Finance deems to be in the best interests of the State. Any such~~  
8 ~~lease may include an option in favor of the City of Napa to~~  
9 ~~purchase such real property.~~

10 ~~SEC. 10.—The parcel to which the provisions of Sections 10~~  
11 ~~and 11 of this act are applicable consists of that portion of the tide~~  
12 ~~and submerged lands heretofore conveyed to the City of Vallejo~~  
13 ~~upon certain trusts and conditions by Chapter 310 of the Statutes~~  
14 ~~of 1913, more fully described as follows:~~

15 ~~Bonded on the Northeast by the Southwesterly boundaries of~~  
16 ~~lands heretofore conveyed by Patents from the State of California~~  
17 ~~to private individuals as tideland surveys; and~~

18 ~~Bounded on the West, Southwest and Southeast by a line~~  
19 ~~particularly described as:~~

20 ~~Beginning at a point located by commencing at the intersection~~  
21 ~~of the South line of Pennsylvania Street with the East line of Santa~~  
22 ~~Clara Street according to the official map of the City of Vallejo~~  
23 ~~filed September 19, 1868 in Book 1 of Maps at Page 123; thence~~  
24 ~~South 88° 53' 30" East, 6.55 feet to the True Point of Beginning~~  
25 ~~(said true point of beginning being marked by Monument No. 101~~  
26 ~~of the Record of Survey and Partition Map filed in the Office of~~  
27 ~~the County Recorder of Solano County, California on April 29,~~  
28 ~~1952 in Book 2 of Surveys, Page 37); thence due South 114.85 feet~~  
29 ~~to a point on the existing timber bulkhead constructed by the City~~  
30 ~~of Vallejo during the year 1914; thence due South 293 feet to a~~  
31 ~~point on the combined pierhead and bulkhead line as established~~  
32 ~~by the U.S. Army Corps of Engineers; thence S. 38° 43' 53" E.~~  
33 ~~along said combined U.S. Pierhead and Bulkhead line a distance~~  
34 ~~of 4070.25 feet, more or less to a point on the Northwesterly~~  
35 ~~boundary of the area described in Deed to Basalt Rock Company~~  
36 ~~dated May 25, 1934 and recorded in the office of the County~~  
37 ~~Recorder of said County in Book 124 of Official Records at Page~~  
38 ~~305; thence N. 54° 14' 45" E. along the boundary of the area~~  
39 ~~described in said Deed a distance of 301.88 feet to a point on the~~  
40 ~~aforementioned existing timber bulkhead constructed by the City~~



of Vallejo in the year 1914; thence continuing N. 54° 14' 45" E. along said boundary described in Deed to Basalt Rock Company a distance of 220 feet, more or less, to a point on the Southwest boundary of Tideland Survey No. 25-A, sometimes referred to as No. 25.

SEC. 11.—(a) In addition to the purposes expressed in Chapter 310 of the Statutes of 1913, the tide and submerged lands included in the parcel described in Section 10 may be used by the City of Vallejo and its successors for purposes in which there is a general statewide purpose as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient, for the promotion and accommodation of commerce and navigation.

(2) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair and maintenance of commercial and industrial building, plants and facilities.

(3) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(4) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this section.

(5) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for

1 all works, buildings, facilities, utilities, structures and appliances  
2 incidental, necessary or convenient for the promotion and  
3 accommodation of any such uses.

4 (6) For the establishment, improvement and conduct of small  
5 boat harbors, marinas, aquatic playgrounds and similar  
6 recreational facilities, and for the construction, reconstruction,  
7 repair, maintenance and operation of all works, buildings,  
8 facilities, utilities, structures and appliances incidental, necessary  
9 or convenient for the promotion and accommodation of any of  
10 such uses, including but not limited to snack bars, cafes,  
11 restaurants, motels, launching ramps and hoists, storage sheds,  
12 boat repair facilities with cranes and marine ways, administration  
13 buildings, public restrooms, bait and tackle shops, chandleries,  
14 boat sale establishments, service stations and fuel docks, yacht  
15 club buildings, parking areas, roadways, pedestrian ways and  
16 landscaped areas.

17 (b) The city or its successors shall not, at any time, grant,  
18 convey, give or alienate lands included in the parcel described in  
19 Section 10, or any part thereof, to any individual, firm or  
20 corporation for any purposes whatever; provided, that said city, or  
21 its successors, may, notwithstanding any provision in Chapter 310  
22 of the Statutes of 1913 to the contrary, grant franchises thereon for  
23 limited periods, not exceeding 99 years, for wharves and other  
24 public uses and purposes, and may lease said lands, or any part  
25 thereof, for limited periods, not exceeding 99 years, for purposes  
26 consistent with the trusts upon which said lands are held by the  
27 State of California, and with the requirements of commerce and  
28 navigation, and collect and retain rents and other revenues from  
29 such leases, franchises and privileges. Such lease or leases,  
30 franchises and privileges may be for any and all purposes which  
31 shall not interfere with commerce and navigation. Nothing  
32 contained in this section shall be deemed to affect the validity or  
33 term of any franchises granted by said city under the Franchise Act  
34 of 1937 or said city's charter, and any such franchise shall be  
35 effective with respect to said lands.

36 (c) Said lands shall be improved without expense to the State;  
37 provided, however, that nothing contained in this section shall  
38 preclude expenditures for the development of said lands for any  
39 public purpose not inconsistent with commerce, navigation and  
40 fishery, by the State, or any board, agency or commission thereof,

1 ~~when authorized or approved by the city, nor by the city of any~~  
2 ~~funds received for such purpose from the State or any board,~~  
3 ~~agency or commission thereof.~~

4 (d) ~~In the management, conduct, operation and control of said~~  
5 ~~lands or any improvements, betterments, or structures thereon, the~~  
6 ~~city or its successors shall make no discrimination in rates, tolls or~~  
7 ~~charges for any use or service in connection therewith.~~

8 (e) ~~The State of California shall have the right to use without~~  
9 ~~charge any transportation, landing or storage improvements,~~  
10 ~~betterments or structures constructed upon said lands for any~~  
11 ~~vessel or other watercraft, aircraft, or railroad owned or operated~~  
12 ~~by the State of California.~~

13 (f) ~~There is hereby reserved to the people of the State of~~  
14 ~~California the right to fish in the waters of said lands with the right~~  
15 ~~of convenient access to said water over said lands for said purpose.~~

16 (g) ~~There is hereby executed and reserved in the State of~~  
17 ~~California all deposits of minerals, including oil and gas, in said~~  
18 ~~lands, and to the State of California, or persons authorized by the~~  
19 ~~State of California, the right to prospect for, mine, and remove~~  
20 ~~such deposits from said lands.~~

21 (h) ~~Said lands are granted subject to the express reservation and~~  
22 ~~condition that the State may at any time in the future use said lands~~  
23 ~~or any portion thereof for highway purposes without~~  
24 ~~compensation to the city, its successors or assigns, or any person,~~  
25 ~~firm or public or private corporation claiming under it, except that~~  
26 ~~in the event improvements, betterments or structures have been~~  
27 ~~placed upon the property taken by the State for said purposes,~~  
28 ~~compensation shall be made to the person entitled thereto for the~~  
29 ~~value of his interest in the improvements, betterments or structures~~  
30 ~~taken or the damages to such interest.~~

31 (i) ~~The State Lands Commission shall, at the cost of the city,~~  
32 ~~survey and monument said lands and record a description and plat~~  
33 ~~thereof in the office of the County Recorder of Solano County.~~

34 (j) ~~If said lands, or any part thereof, are not used for the~~  
35 ~~additional purposes authorized by this section within 10 years~~  
36 ~~from the effective date of said section, or if such use is~~  
37 ~~discontinued thereafter, the authorization to use said lands for such~~  
38 ~~additional purposes shall automatically terminate and lapse.~~

39 *SEC. 15. Chapter 63 of the Statutes of 1962 is repealed.*

1     ~~WHEREAS, Angel Island in San Francisco Bay is, with the~~  
2     ~~exception of three small Coast Guard installations thereon, no~~  
3     ~~longer being used by the federal government and is proposed to be~~  
4     ~~disposed of by the Bureau of Land Management of the Department~~  
5     ~~of the Interior; and~~

6     ~~WHEREAS, Angel Island is rich in historical background,~~  
7     ~~being the spot of the first landing of a ship in San Francisco Bay~~  
8     ~~by Don Juan de Ayala in 1775, and its development as an historical~~  
9     ~~monument would be in the interest of both the national and state~~  
10    ~~governments; and~~

11    ~~WHEREAS, In connection with its development as an historic~~  
12    ~~monument, Angel Island could be developed by the State to~~  
13    ~~provide outstanding recreational benefits to the people of this State~~  
14    ~~and visitors from all parts of the world; and~~

15    ~~WHEREAS, A portion of Angel Island has already been~~  
16    ~~conveyed to the State and is being operated as a state park, so that~~  
17    ~~the conveyance of the remainder of the island (with the exception~~  
18    ~~of the area occupied by the three Coast Guard installations) to the~~  
19    ~~State for historic monument purposes would enable the State to~~  
20    ~~provide for the planning and development of the entire island in~~  
21    ~~the manner which will be the most beneficial to the people of the~~  
22    ~~State of California and of the United States; and~~

23    ~~WHEREAS, The federal law authorizes the Secretary of the~~  
24    ~~Interior to convey public lands to a State, without cost, for use for~~  
25    ~~historic monument purposes; now, therefore, be it~~

26    ~~*Resolved by the Senate and Assembly of the State of California,*~~  
27    ~~*jointly, That the Legislature of the State of California respectfully*~~  
28    ~~*memorializes the Secretary of the Interior to convey to the State*~~  
29    ~~*of California, without cost, the portion of Angel Island in San*~~  
30    ~~*Francisco Bay referred to in this resolution for development by the*~~  
31    ~~*State for historic monument and recreational purposes; and be it*~~  
32    ~~*further*~~

33    ~~*Resolved, That the Secretary of the Senate be hereby directed to*~~  
34    ~~*transmit copies of this resolution to the President and Vice*~~  
35    ~~*President of the United States, to the Secretary of the Interior, to*~~  
36    ~~*the Speaker of the House of Representatives, and to each Senator*~~  
37    ~~*and Representative from California in the Congress of the United*~~  
38    ~~*States.*~~

39    ~~*SEC. 16. Chapter 24 of the Statutes of 1963 is repealed.*~~

1     ~~SECTION 1.—The parcel to which the provisions of this act are~~  
2     ~~applicable consists of that portion of the tide and submerged lands~~  
3     ~~heretofore conveyed to the City of Vallejo upon certain trusts and~~  
4     ~~conditions by Chapter 310 of the Statutes of 1913, more fully~~  
5     ~~described as follows:~~

6     ~~Bounded on the Northeast by the Southwesterly boundaries of~~  
7     ~~lands heretofore conveyed by Patents from the State of California~~  
8     ~~to private individuals as tideland surveys; and~~

9     ~~Bounded on the Southwest by the combined Pierhead and~~  
10    ~~Bulkhead line as established by the U.S. Army Corps of Engineers;~~  
11    ~~and~~

12    ~~Bounded on the East by the West line of the area described in~~  
13    ~~Chapter 63 (First Extraordinary Session) of the year 1962, Statutes~~  
14    ~~of California entitled “An act relating to the tide and submerged~~  
15    ~~lands granted to the City of Vallejo by Chapter 310 of the Statutes~~  
16    ~~of 1913”; said boundary running North and South along a line~~  
17    ~~which is the Southerly projection of a line at or near 6.55 feet East~~  
18    ~~of the East line of Santa Clara Street as shown on the Official Map~~  
19    ~~of the City of Vallejo prepared by E. H. Rowe filed in the Office~~  
20    ~~of the County Recorder of Solano County, California on~~  
21    ~~September 19, 1868 in Book 1 of Maps at Page 123; and~~

22    ~~Bounded on the North by the line which was the North boundary~~  
23    ~~of the City Limits of the City of Vallejo as of the date of the~~  
24    ~~adoption of the aforementioned Chapter 310 of the year 1913 of~~  
25    ~~Statutes of California approved June 11, 1913, being the same~~  
26    ~~boundary as shown on the Official Map of the City of Vallejo~~  
27    ~~prepared by E.H. Rowe filed in the Office of the County Recorder~~  
28    ~~of Solano County, California on September 19, 1868 in Book 1 of~~  
29    ~~Maps at Page 123;~~

30    ~~The area hereinbefore described being that strip of land lying~~  
31    ~~between the combined U.S. Pierhead and Bulkhead line and the~~  
32    ~~boundaries of tideland Surveys No. 3, 4, 21 and 22.~~

33    ~~There is hereby conveyed and confirmed to the City of Vallejo,~~  
34    ~~a municipal corporation, and to its successors, all of the right, title~~  
35    ~~and interest of the State of California in and to the land~~  
36    ~~hereinabove described, subject to all the terms and provisions of~~  
37    ~~said Chapter 310 of the Statutes of 1913 and of this act.~~

38    ~~SEC. 2.—(a) In addition to the purposes expressed in Chapter~~  
39    ~~310 of the Statutes of 1913, the tide and submerged lands included~~  
40    ~~in the parcel described in Section 1 may be used by the City of~~

1 Vallejo and its successors for purposes in which there is a general  
2 statewide purpose as follows:

3 (1) For the establishment, improvement and conduct of a  
4 harbor, and for the construction, reconstruction, repair,  
5 maintenance, and operation of wharves, docks, piers, slips, quays,  
6 and all other works, buildings, facilities, utilities, structures and  
7 appliances incidental, necessary or convenient, for the promotion  
8 and accommodation of commerce and navigation.

9 (2) For all commercial and industrial uses and purposes, and  
10 the construction, reconstruction, repair and maintenance of  
11 commercial and industrial buildings, plants and facilities.

12 (3) For the establishment, improvement and conduct of an  
13 airport and heliport or aviation facilities, including but not limited  
14 to approach, takeoff and clear zones in connection with airport  
15 runways, and for the construction, reconstruction, repair,  
16 maintenance and operation of terminal buildings, runways,  
17 roadways, aprons, taxiways, parking areas, and all other works,  
18 buildings, facilities, utilities, structures and appliances incidental,  
19 necessary or convenient for the promotion and accommodation of  
20 air commerce and air navigation.

21 (4) For the construction, reconstruction, repair and  
22 maintenance of highways, streets, roadways, bridges, belt line  
23 railroads, parking facilities, power, telephone, telegraph or cable  
24 lines or landings, water and gas pipelines, and all other  
25 transportation and utility facilities or betterments incidental,  
26 necessary or convenient for the promotion and accommodation of  
27 any of the uses set forth in this section.

28 (5) For the construction, reconstruction, repair, maintenance  
29 and operation of public buildings, public assembly and meeting  
30 places, convention centers, parks, playgrounds, bath houses and  
31 bathing facilities, recreation and fishing piers, public recreation  
32 facilities, including but not limited to public golf courses, and for  
33 all works, buildings, facilities, utilities, structures and appliances  
34 incidental, necessary or convenient for the promotion and  
35 accommodation of any such uses.

36 (6) For the establishment, improvement and conduct of small  
37 boat harbors, marinas, aquatic playgrounds and similar  
38 recreational facilities, and for the construction, reconstruction,  
39 repair, maintenance and operation of all works, buildings,  
40 facilities, utilities, structures and appliances incidental, necessary

1 ~~or convenient for the promotion and accommodation of any of~~  
2 ~~such uses, including but not limited to snack bars, cafes,~~  
3 ~~restaurants, motels, launching ramps and hoists, storage sheds,~~  
4 ~~boat repair facilities with cranes and marine ways, administration~~  
5 ~~buildings, public restrooms, bait and tackle shops, chandleries,~~  
6 ~~boat sales establishments, service stations and fuel docks, yacht~~  
7 ~~club buildings, parking areas, roadways, pedestrian ways and~~  
8 ~~landscaped areas.~~

9 ~~(b) The city or its successors shall not, at any time, grant,~~  
10 ~~convey, give or alienate lands included in the parcel described in~~  
11 ~~Section 1, or any part thereof, to any individual, firm or~~  
12 ~~corporation for any purposes whatever; provided, that said city, or~~  
13 ~~its successors, may, notwithstanding any provision in Chapter 310~~  
14 ~~of the Statutes of 1913 to the contrary, grant franchises thereon for~~  
15 ~~limited periods, not exceeding 99 years for wharves and other~~  
16 ~~public uses and purposes, and may lease said lands, or any part~~  
17 ~~thereof, for limited periods, not exceeding 99 years, for purposes~~  
18 ~~consistent with the trusts upon which said lands are held by the~~  
19 ~~State of California, and with the requirements of commerce and~~  
20 ~~navigation, and collect and retain rents and other revenues from~~  
21 ~~such leases, franchises and privileges. Such lease or leases,~~  
22 ~~franchises and privileges may be for any and all purposes which~~  
23 ~~shall not interfere with commerce and navigation. Nothing~~  
24 ~~contained in this section shall be deemed to affect the validity or~~  
25 ~~term of any franchise granted by said city under the Franchise Act~~  
26 ~~of 1937 or said city's charter, and any such franchise shall be~~  
27 ~~effective with respect to said lands.~~

28 ~~(c) Said lands shall be improved without expense to the State;~~  
29 ~~provided, however, that nothing contained in this section shall~~  
30 ~~preclude expenditures for the development of said lands for any~~  
31 ~~public purpose not inconsistent with commerce, navigation and~~  
32 ~~fishery, by the State, or any board, agency or commission thereof,~~  
33 ~~when authorized or approved by the city, nor by the city of any~~  
34 ~~funds received for such purpose from the State or any board,~~  
35 ~~agency or commission thereof.~~

36 ~~(d) In the management, conduct, operation and control of said~~  
37 ~~lands or any improvements, betterments, or structures thereon, the~~  
38 ~~city or its successors shall make no discrimination in rates, tolls or~~  
39 ~~charges for any use or service in connection therewith.~~



~~(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft, aircraft, or railroad owned or operated by the State of California.~~

~~(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.~~

~~(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.~~

~~(h) Said lands are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.~~

~~(i) The State Lands Commission shall, at the cost of the city, survey and monument said lands and record a description and plat thereof in the office of the County Recorder of Solano County.~~

~~(j) If said lands, or any part thereof, are not used for the additional purposes authorized by this section within 10 years from the effective date of said section, or if such use is discontinued thereafter, the right, title, and interest of the city in and to said lands shall cease and said lands shall revert and rest in the State.~~

~~SEC. 3.—Notwithstanding any provision in Chapter 310 of the Statutes of 1913 and notwithstanding any provision of this act, the State hereby consents and authorizes the City of Vallejo to grant its right, title and interest in and to all or a portion of the tide and submerged lands described in Section 1 of this act, whether filled or unfilled, to the Redevelopment Agency of the City of Vallejo, a public body, corporate and politic, organized and activated under the provisions of the Community Redevelopment Law as~~

1 contained in Part 1 (commencing with Section 33000), Division  
2 24 of the Health and Safety Code, to be held in trust by said agency  
3 for the uses and purposes and upon the conditions and limitations  
4 and to be vested with the rights and powers set forth in Section 2  
5 of this act and in Chapter 310 of the Statutes of 1913.

6 *SEC. 17. Chapter 895 of the Statutes of 1980 is repealed.*

7 ~~SECTION 1. All of that land described in Section 2 granted~~  
8 ~~by the State of California to the City of Vallejo by the provisions~~  
9 ~~of Chapter 310 of the Statutes of 1913, an act entitled "An act~~  
10 ~~conveying to the City of Vallejo certain tide lands and lands of the~~  
11 ~~State of California lying under inland navigable waters within the~~  
12 ~~boundaries of the said city, situate in the Napa creek, the Mare~~  
13 ~~Island straits and the straits of Carquinez, including the right to~~  
14 ~~wharf out therefrom to the city of Vallejo, in furtherance of~~  
15 ~~navigation and commerce and the fisheries, and providing for the~~  
16 ~~government, management and control thereof," approved June~~  
17 ~~11, 1913, which has been filled and can no longer be used for~~  
18 ~~commerce, navigation, or fisheries, is hereby declared to have~~  
19 ~~ceased to be tide lands or submerged lands. The Legislature hereby~~  
20 ~~finds and determines that such lands have been reclaimed pursuant~~  
21 ~~to and in the course of a highly beneficial public program of harbor~~  
22 ~~development and that such lands constitute a relatively small~~  
23 ~~parcel of the total acreage involved. Any reference in this act to~~  
24 ~~Chapter 310 of the Statutes of 1913 shall be deemed to include the~~  
25 ~~supplements to such chapter enacted by Chapter 24 of the Statutes~~  
26 ~~of 1963.~~

27 ~~The State Lands Commission, as trustee for the State of~~  
28 ~~California, shall negotiate an exchange with the City of Vallejo for~~  
29 ~~lands of equal or greater value upon which the public trust for~~  
30 ~~commerce, navigation, and fisheries, and all terms, trusts, and~~  
31 ~~restrictions imposed by Chapter 310 of the Statutes of 1913, shall~~  
32 ~~be imposed. The parcels described in Section 2 shall be freed from~~  
33 ~~the public trust, and from all terms, trusts, and restrictions imposed~~  
34 ~~by Chapter 310 of the Statutes of 1913, upon completion of such~~  
35 ~~exchange.~~

36 ~~SEC. 2. Subject to Section 1, the following described land~~  
37 ~~shall be freed from the public trust for commerce, navigation, and~~  
38 ~~fisheries, and from all terms, trusts, and restrictions imposed by~~  
39 ~~Chapter 310 of the Statutes of 1913:~~

1     ~~The two parcels of land situated in the City of Vallejo, County~~  
2     ~~of Solano, California, being more particularly described as~~  
3     ~~follows:~~

4     ~~(a) All of the lands described in Chapter 310 of the Statutes of~~  
5     ~~1913 which lie east of the easterly right-of-way lines of Marina~~  
6     ~~Vista Way (Mare Island Boulevard), as shown on the 1979 Solano~~  
7     ~~County Assessor's Map in Book 55 at Pages 16 and 17, within the~~  
8     ~~Marina Vista Project of the Redevelopment Agency of the City of~~  
9     ~~Vallejo.~~

10    ~~(b) All of the lands described in Chapter 310 of the Statutes of~~  
11    ~~1913 which lie south of the southerly right-of-way line of Mare~~  
12    ~~Island Causeway and east of the easterly right-of-way line and the~~  
13    ~~northerly extension thereof of Harbor Way as shown on the 1979~~  
14    ~~Solano County Assessor's Map in Book 55 at Page 1, within the~~  
15    ~~Municipal Marina portion of the Vallejo Waterfront~~  
16    ~~Redevelopment Project of the Redevelopment Agency of the City~~  
17    ~~of Vallejo.~~

18    *SEC. 18.* The provisions of this act are severable. If any  
19    provision of this act or its application is held invalid, that invalidity  
20    shall not affect other provisions or applications that can be given  
21    effect without the invalid provision or application.